**GOVERNMENT OF ANDHRA PRADESH**
**ABSTRACT**

Public Servants - M.A. & U.D. Department – Allegations of corruption against Sri Kona Appa Rao, Junior Assistant (Dismissed), Office of the Asst. Medical Officer, Public Health Section, Zone-III, Greater Visakhapatnam Municipal Corporation, Visakhapatnam – Accused Officer was trapped by the Anti Corruption Bureau officials on 04.10.2010 – Departmental action initiated under Rule 20 of A.P.C.S. (CC&A) Rules, 1991 – Enquiry Ordered – Charges Not Proved – Further action dropped – Orders - Issued.

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**MUNICIPAL ADMINISTRATION & URBAN DEVELOPMENT (VIG.I) DEPARTMENT**

**G.O.RT.No. 41** **Dated: 21-01-2019.**

**Read the Following**:-

1. From the Dy. Superintendent of Police, Anti Corruption Bureau, Visakhapatnam Range, A.P.Police Dept. Message, dated 04/05.10.2010.
2. Govt. Memo. No.19398/Vig.IV(2)/2010-1, dated 11.10.2010 of M.A. & U.D.(Vig.IV) Department.
3. Proceedings in Rc.No.15485/2010/C3, dated 04.11.2010 of the Commissioner, GVMC., Visakhapatnam.
4. From the Director General, Anti Corruption Bureau, A.P., Hyderabad, letter No.177/RCT-WVP/2010-S11, dated 01.03.2011.
5. Govt. Memo. No.19398/Vig.IV/2010-2, dated 16.05.2011 of M.A. & U.D. (Vig.IV) Department.
6. Proceedings in Rc.No.15485/2011/C3, dated .08.2011 of the Commissioner, GVMC., Visakhapatnam.
7. Proceedings in Rc.No.15485/2010/C3, dated .08.2011 of the Commissioner, GVMC., Visakhapatnam.
8. Govt. Memo. No.19398/Vig.IV(2)/2010-5, dated 29.03.2012 of M.A. & U.D.(Vig.IV) Department.
9. From the Hon'ble Court of Special Judge for Trail of SPE & ACB Cases, Visakhapatnam, Judgement dated 30.06.2014 in C.C.No.27/2011.
10. Govt. Memo. No.19398/Vig.I(1)/2010, dated 08.10.2014 of M.A. & U.D. (Vig.I) Department.
11. Proceedings in RC.No.15485/2010/C3, dated 23.12.2014 of the Commissioner, GVMC., Visakhapatnam.
12. From the Examiner of Accounts & Enquiry Officer, GVMC., Visakhapatnam, Enquiry Report received through letter Rc.No.15485/2010/C3, dated 09.04.2018.
13. Govt. Memo. No.19398/Vig.I(1)/2010, dated 23.07.2018 of M.A. & U.D.(Vig.I) Department.
14. From Sri Kona Appa Rao, Junior Assistant (Dismissed), written representation, dated 28.08.2018.

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**O R D E R:**

Whereas, it has been brought to the notice of the Government by the Deputy Superintendent of Police, Anti Corruption Bureau, Visakhapatnam Range in the reference 1st read above that, Sri Kona Appa Rao, Junior Assistant, Office of the Asst. Medical Officer, Public Health Section, Zone-III, Greater Visakhapatnam Municipal Corporation, Visakhapatnam was trapped by the ACB officials on 04.10.2010 when the Accused Officer demanded and accepted a bribe amount of Rs.3,000/- from the complainant, for doing an official favour. The Accused Officer was arrested at 21.30 hours on 04.10.2010.

2. Whereas, in the reference 2nd read above, instructions were issued to the Commissioner, GVMC., Visakhapatnam to place the Accused Officer Sri Kona Appa Rao, Junior Assistant, Office of the Asst. Medical Officer, Public Health Section, Zone-III, Greater Visakhapatnam Municipal Corporation, Visakhapatnam under deemed suspension from the date of his detention i.e., from 04.10.2010, as per Rule 8(2)(a) of A.P.C.S. (CC&A) Rules, 1991.

(P.T.O.)

3. In the reference 3rd read above, the Commissioner, GVMC., Visakhapatnam has issued orders, placing the Accused Officer Sri Kona Appa Rao, Junior Assistant, Office of the Asst. Medical Officer, Public Health Section, Zone-III, Greater Visakhapatnam Municipal Corporation, Visakhapatnam under deemed suspension with effect from 05.10.2010 i.e., from the date of his detention, in terms of Rule 8(2)(a) of A.P.C.S. (CC&A) Rules, 1991.

4. In the reference 4th read above, the Director General, Anti Corruption Bureau, A.P., Hyderabad in his Final Report dated 01.03.2011 has recommended to Prosecute the Accused Officer Sri Kona Appa Rao, Junior Assistant, Office of the Asst. Medical Officer, Public Health Section, Zone-III, Greater Visakhapatnam Municipal Corporation, Visakhapatnam in a court of law under Sections 7, 13(2) read with 13(1)(d) of the Prevention of Corruption Act, 1988 and to initiate departmental action against the said Accused Officer for violation of A.P.C.S.(Conduct) Rules, 1964 on the allegations that the Accused Officer failed to submit his Annual Property Returns to the competent authority during his service from 2005 to 2009.

5. In the reference 5th read above, the Commissioner, GVMC., Visakhapatnam was requested to consider and accord sanction for prosecution against the Accused Officer Sri Kona Appa Rao, Junior Assistant and to initiate departmental action against the Accused Officer Sri Kona Appa Rao, Junior Assistant, Office of the Asst. Medical Officer, Public Health Section, Zone-III, Greater Visakhapatnam Municipal Corporation, Visakhapatnam, on the allegations that the Accused Officer failed to submit his Annual Property Returns during his service from 2005 to 2009, as contemplated under A.P.C.S.(Conduct) Rules, 1964.

6. In the reference 6th read above, the Commissioner, GVMC., Visakhapatnam has issued Prosecution Sanction Orders against Sri Kona Appa Rao, Junior Assistant, Office of the Asst. Medical Officer, Public Health Section, Zone-III, Greater Visakhapatnam Municipal Corporation, Visakhapatnam.

7. In the reference 7th read above, the Commissioner, GVMC., Visakhapatnam has initiated departmental action against Sri Kona Appa Rao, Junior Assistant by issuing Articles of Charges against him.

8. Government have reviewed the suspension case of Sri Kona Appa Rao, Junior Assistant (Under Suspension) and it has been decided to revoke the suspension. Accordingly, in the reference 8th read above, the suspension of Sri Kona Appa Rao, Junior Assistant, Office of the Asst. Medical Officer, Public Health Section, Zone-III, Greater Visakhapatnam Municipal Corporation, Visakhapatnam was revoked and the Commissioner, GVMC., Visakhapatnam was directed to take necessary immediate action and on reinstatement, post the Accused Officer Sri Kona Appa Rao, Junior Assistant in a non-focal post.

9. In the reference 9th read above, the Hon'ble Court of Special Judge for Trail of SPE & ACB Cases, Visakhapatnam in its Judgement dated 30.06.2014 in C.C.No.27/2011 held that the Accused Officer was found guilty of the charges under Section 7 and Section 13(1)(d) read with 13(2) of Prevention of Corruption Act, 1988 and he was convicted of the same under Section 248(2) Cr.P.C.

10. In the reference 10th read above, instructions were issued to the Commissioner, GVMC., Visakhapatnam to consider and dismiss Sri Kona Appa Rao, Junior Assistant, Office of the Asst. Medical Officer, Public Health Section, Zone-III, Greater Visakhapatnam Municipal Corporation, Visakhapatnam from service immediately, in view of his conviction by the Hon'ble Court of Special Judge for Trail of SPE & ACB Cases, Visakhapatnam vide its Judgement dated 30.06.2014 in C.C.No.27/2011 and in terms of G.O.Ms.No.2, G.A.(Ser.C) Dept., dated 04.01.1999.

11. In the reference 11th read above, the Commissioner, GVMC., Visakhapatnam has issued orders, dismissed Sri Kona Appa Rao, Junior Assistant, Office of the Asst. Medical Officer, Public Health Section, Zone-III, Greater Visakhapatnam Municipal Corporation, Visakhapatnam from service with effect from 23.12.2014.

Contnd…3.

12. In the reference 12th read above, the Commissioner, GVMC., Visakhapatnam has furnished the Report of the Enquiry Officer in a disciplinary case, wherein the Enquiry Officer held that the charged officer Sri Kona Appa Rao, Junior Assistant has furnished the Annual Movable and Immovable Property Statements for the years from 2005 to 2010 only after receipt of the letter Rc.No.725/2011/A1/ZC-III, dated 15.12.2011 of the Zonal Commissioner, Zone-III, GVMC.

13. In the reference 13th read above, while communicating a copy of the report of the Enquiry Officer under Rule 21(2) of A.P.C.S.(CC&A) Rules, 1991, the charged officer Sri Kona Appa Rao, Junior Assistant (Dismissed), Office of the Asst. Medical Officer, Public Health Section, Zone-III, Greater Visakhapatnam Municipal Corporation, Visakhapatnam was directed to submit his written representation if any, on the findings of the Enquiry Officer.

14. In the reference 14th read above, Sri Kona Appa Rao, Junior Assistant (Dismissed), Office of the Asst. Medical Officer, Public Health Section, Zone-III, Greater Visakhapatnam Municipal Corporation, Visakhapatnam has submitted his written representation wherein he has stated among other things and informed that, every year he has submitted Immovable as well as Movable Property list to the Commissioner. Further the ACB has certified on 04.10.2010 that he had no Immovable and Movable Properties. Further he has submitted statements of years 2005-06, 2006-07, 2007-08, 2008-09 and 2009-10 to the Enquiry Officer and finally requested to exonerate him from the charges framed against him.

15. Government after careful examination of the matter, have observed that, on conviction, the Accused Officer Sri Kona Appa Rao, Junior Assistant, Office of the Asst. Medical Officer, Public Health Section, Zone-III, Greater Visakhapatnam Municipal Corporation, Visakhapatnam was dismissed from the service. Further, the Enquiry Officer in his Enquiry Report held that the charged officer Sri Kona Appa Rao, Junior Assistant has furnished the Annual Movable and Immovable Property Statements for the years from 2005 to 2010. Therefore, it has been decided to accept the findings of Enquiry Officer and to drop further action against Sri Kona Appa Rao, Junior Assistant (Dismissed), Office of the Asst. Medical Officer, Public Health Section, Zone-III, Greater Visakhapatnam Municipal Corporation, Visakhapatnam in a disciplinary case. Accordingly, Government hereby order to drop further action against Sri Kona Appa Rao, Junior Assistant (Dismissed), Office of the Asst. Medical Officer, Public Health Section, Zone-III, Greater Visakhapatnam Municipal Corporation, Visakhapatnam.

16. The Commissioner, GVMC., Visakhapatnam shall take further necessary action in the matter, accordingly.

17. The receipt of G.O., shall be acknowledged.

**(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)**

**R.KARIKAL VALAVEN**
**PRINCIPAL SECRETARY TO GOVERNMENT**

To
Sri Kona Appa Rao, Junior Assistant (Dismissed),
Office of the Asst. Medical Officer, Public Health Section,
Zone-III, GVMC., Visakhapatnam through the Commissioner,
GVMC., Visakhapatnam.
The Commissioner, GVMC., Visakhapatnam.

**Copy to:**

The Director General, Anti Corruption Bureau, A.P., Vijayawada.
The RDMA., Visakhapatnam.
The Secretary to A.P.Vigilance Commission, 5th Building, A.P.Secretariat.
SF/SCs.

//FORWARDED::BY ORDER//

**SECTION OFFICER**